REMARKS

Claims Status

Claims 1–6, 9–11, and 17 and 51-70 are pending in this application. Claims 7-8, 12-16 and 18-50 were previously deleted from the application.

Claim Rejections Under 35 U.S.C. §112, Second Paragraph

Claims 63-67

Claim 63

Claim 63 was rejected by the Examiner under 35 U.S.C. §112, second paragraph as being indefinite. The Examiner stated that the phrase "said treatment", lacked antecedent basis.

Applicants have amended claim 63. Support for the amendments may be found in Applicants' specification at lines 6-9 of page 11. Applicants believe that the amendments render the Examiner's rejections of claim 63 moot. As such, Applicants respectfully request reconsideration and withdrawal of the Examiner's rejection of claim 63 under 35 U.S.C. §112, second paragraph.

Claims 64-67

Claims 64-67 were also rejected by the Examiner as being indefinite under 35 U.S.C. §112, second paragraph. Because claims 64-67 depend from claim 63, the amendments made to claim 63 apply to claims 64-67. As such, Applicants believe that claims 64-67 are also in condition for allowance. Reconsideration and withdrawal of the Examiner's rejections of claims 64-67 under 35 U.S.C. §112, second paragraph is respectfully requested.

Claim Rejections Under 35 U.S.C. §103

Claims 1, 51, and 68

Independent claims 1, 51, and 68 were rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Aoki (U.S. Patent No. 5,509,353) in combination with Gasparrini et al. (U.S. Patent No. 5,368,157) and Knaul et al. (U.S. Patent No. 4,860,883).

Applicants believe that the amendments made in this response render the Examiner's rejections above, moot. Applicants thus believe that the claims are in condition for allowance. Support for Applicants' amendments of claims 1, 51, and 68 may be found, generally, at lines 12-16 on page 19 of Applicants' specification. Reconsideration and withdrawal of the Examiner's rejections of these claims under 35 U.S.C. § 103(a) is respectfully requested.

Claims 2-6, 9-11, 17, 52-62, and 69-70

Claims 2-6, 9-11, 17, 52-62, and 69-70 were also rejected by the Examiner as being unpatentable over Aoki (U.S. Patent No. 5,509,353) in combination with Gasparrini et al. (U.S. Patent No. 5,368,157) and Knaul et al. (U.S. Patent No. 4,860,883).

Claims 2-6, 9-11, 17, 52-62 and 69-70 depend from claims 1, 51, and 68, either directly or indirectly, and thereby incorporate the same limitations of claims 1, 51, and 68. Applicants believe that claims 1, 51, and 68, as discussed above, are nonobvious. As such, Applicants believe that claims 2-6, 9-11, 17, 52-62 and 69-70 are also nonobvious because it axiomatic that if an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. See, MPEP § 2143.03. Further, claims 2-6, 9-11, 17, 52-62

and 69-70 provide separate bases for patentability over and beyond those presented by claims 1, 51, and 68.

Applicants thereby believe that claims 2-6, 9-11, 17, 52-62 and 69-70 are in condition for allowance. Reconsideration and withdrawal of the Examiner's rejections of claims 2-6, 9-11, 17, 52-62 and 69-70 under 35 U.S.C. §103(a) is respectfully requested.

Claim 63

Claim 63 was rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Aoki (U.S. Patent No. 5,509,353) in combination with Gasparrini et al. (U.S. Patent No. 5,368,157) and Knaul et al. (U.S. Patent No. 4,860,883). Applicants respectfully traverse.

Applicants traverse because a *prima facie* case of obviousness has not been made with respect to claim 63. It is improper to combine references where they teach away from their combination or where their combination would render prior art unsatisfactory for their intended use. See MPEP § 2145(X)(D). The references cited by the Examiner with respect to claim 63 teach away from their combination.

First, Aoki teaches the dripping of solvent onto a cleaning sheet (col. 3 lines 65 – col. 4 line 1). The idea behind the dripping is to moisten the cleaning sheet. (See, Abstract, lines 2-4). This constitutes a teaching away from Gasparrini et al. as Gasparrini entails the immersion of a fabric. As such, because the intent of Aoki is to merely moisten the cleaning sheet, combining the teaching of Gasparrini with Aoki would thwart or render Aoki unsatisfactory.

Second, Gasparrini teaches the formation of a roll after the immersion of fabric in

a solvent (see, col. 7, lines 3-5). Thus, combining at least this aspect of Gasparrini with Aoki would also thwart the intended functionality of Aoki of unwinding an untreated sheet before moistening the sheet in order to clean a cylinder because the sheet would have already been treated by the solvent.

Third, Knaul does not even use a cleaning sheet or fabric and does not indicate that a cleaning sheet should or could be used. Besides, Knaul makes use of sprayers (see, Fig. 2 and col. 1, lines 66-67) – a feature Applicants' application improves upon and which Applicants' invention, as disclosed in claim 63, does not use. At the very least, this feature teaches away from the treatment by immersion as disclosed by Gasparrini.

As such, because Aoki, Gasparrini and Knaul each teach away from each other and render their respective operations unsatisfactory when combined as suggested by the Examiner, Applicant believes that a *prima facie* case of obviousness has not been made. Thus, Applicants believe that claim 63 is in condition for allowance. Reconsideration and withdrawal of the Examiner's rejection of claim 63 under 35 U.S.C. §103(a) in light of Aoki, Gasparrini and Knaul is respectfully requested.

Claims 64-67

Claims 64-67 depend from claim 63 and thereby incorporate the same limitations of claim 63. Applicants, as discussed above, believe that claim 63 is nonobvious with respect to the references cited by the Examiner. As such, Applicants believe that claims 64-67 are also nonobvious because it axiomatic that if an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. See, MPEP § 2143.03. In addition, claims 64-67 provide separate bases for patentability over and beyond those presented by claim

63.

As such, Applicants believe that claims 64-67 are also in condition for allowance. Reconsideration and withdrawal of the Examiner's rejection of claims 64-67 under 35 U.S. C. § 103(a) is respectfully requested.

Additional Rejection under 35 U.S.C. §103(a)

Claims 1, 51, 63, and 68

Independent claims 1, 51, 63 and 68 were rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Marass (DE 3736397) in combination with Gasparrini et al. (U.S. Patent No. 5,368,157). Applicants respectfully traverse.

Applicants traverse because a *prima facie* case of obviousness has not been made with respect to claims 1, 51, 63 and 68. It is improper to combine references where they teach away from their combination or where their combination would render prior art unsatisfactory for their intended use. See MPEP § 2145(X)(D). As discussed below, Marass and Gasparrini teach away from their combination.

The advantage of the system described in Marass is economy of washing liquid and cloth. (See Marass Abstract). Marass also teaches the moistening of the cleaning cloth as evidenced by its use of a "moistening unit" and the fact that the moistening unit is wedge-shaped and is formed in a small space between the brush roller and the cloth (See, Marass Abstract and Fig. 2). Combining Gasparrini with Marass would thwart this objective because doing so would immerse and not moisten the cloth. Besides, the Marass objective of attaining an "economy of washing liquid" would also be similarly thwarted since an immersion technique would use more

solvent. These facts point to the teaching away of the Marass-Gasparrini combination suggested by the Examiner.

Thus, Applicants believe that a *prima facie* case of obviousness cannot be sustained and that claims 1, 51, 63 and 68 are in condition for allowance. Reconsideration and withdrawal of the Examiner's rejection of claims 1, 51, 63 and 68 under 35 U.S.C. § 103(a) with respect to Marass and Gasparrini is respectfully requested.

Claims 2-6, 9-11, 17, 52-62, 64-67 and 69-70

Claims 2-6, 9-11, 17, 52-62, 64-67 and 69-70 were also rejected by the Examiner as being unpatentable over Marass (DE 3736397) in combination with Gasparrini et al. (U.S. Patent No. 5,368,157).

Claims 2-6, 9-11, 17, 52-62, 64-67 and 69-70 depend from claims 1, 51, 63 and 68, either directly or indirectly, and thereby incorporate the same limitations of claims 1, 51, 63 and 68. Applicants believe that claims 1, 51, 63 and 68, as discussed above, are nonobvious. As such, Applicants believe that claims 2-6, 9-11, 17, 52-62, 64-67 and 69-70 are also nonobvious because it axiomatic that if an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious. See, MPEP § 2143.03. In addition, claims 2-6, 9-11, 17, 52-62, 64-67 and 69-70 provide separate bases for patentability over and beyond those presented by claims 1, 51, 63 and 68.

Applicants thereby believe that claims 2-6, 9-11, 17, 52-62, 64-67 and 69-70 are in condition for allowance. Reconsideration and withdrawal of the Examiner's rejections of claims 2-6, 9-11, 17, 52-62, 64-67 and 69-70 under 35 U.S.C. §103(a) is respectfully requested.

CONCLUSION

In light of the foregoing remarks and amendments, Applicants believe that all pending claims are in condition for allowance, and earnestly request such allowance. If the Examiner has any questions concerning this response, the Examiner is invited to contact the undersigned attorney.

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this amendment under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-4500, Order No. 0140-4126US5. A DUPLICATE COPY of this page is enclosed.

Respectfully submitted,
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Dated: 1/10/05

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